

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ADRIAN HAYNES,

Plaintiff,

v.

ASSISTANT WARDEN MASON and
MR. BLEVINS,

Defendants.

OPINION AND ORDER

13-cv-474-bbc

Plaintiff Adrian Haynes, a prisoner incarcerated at the United States Penitentiary in Leavenworth, Kansas, has filed a proposed complaint under 42 U.S.C. § 1983 and requests leave to proceed in forma pauperis. He alleges that, after arriving at the U.S.P. Leavenworth, he has not received medical treatment for his lupus and that he is in pain and is fearful of complications. Usually, plaintiff would be ordered to submit a certified copy of a recent six-month trust fund account statement to determine whether he qualifies for indigent status, but examination of the complaint suggests that this is a case in which to exercise this court's discretionary authority under 28 U.S.C. § 1404(a) and transfer this case to the District of Kansas.

In the present case, it is clear that the parties have no contacts with the state of Wisconsin. Plaintiff is incarcerated in Leavenworth, Kansas, and both of the defendants work there. 28 U.S.C. section 1404(a) provides that, “[f]or the convenience of parties and

witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.” 28 U.S.C. § 1404(a). From the location of the parties and the alleged events forming the basis for plaintiff’s claims, I conclude that the District of Kansas is the most convenient forum for this litigation. Therefore, I will transfer this case to the United States District Court for the District of Kansas.

ORDER

IT IS ORDERED that this case is TRANSFERRED to the United States District Court for the District of Kansas. The clerk of court is directed to transmit the file to the United States District Court for the District of Kansas.

Entered this 12th day of August, 2013.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge